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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,379	01/13/2004	Harold D. Hutchinson	4056	3616

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EXAMINER

CAZAN, LIVIUS RADU

ART UNIT PAPER NUMBER

3729

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/757,379	HUTCHINSON, HAROLD D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Livius R. Cazan	3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/30/04</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

The word "blocks" is used in often used in a singular arrangement. For example, on page 1, lines 10 and 11, "a heavy-duty crimping **blocks**" should read –a heavy-duty crimping block– in order to be consistent. However, given the fact that two blocks are provided, it is suggested that such incorrect occurrences of the word "blocks" (page 2, line 21; page 3, line 3; page 3, line 12; page 3, line 24) should be replaced with –device– ("a heavy-duty crimping blocks" would then read –a heavy-duty crimping device–). The specification also refers to "a heavy-duty cable crimping block" (page 3, line 7), which leads to confusion when considered together with the discussion above. Therefore the specification should be reviewed and all ambiguous phrases should be corrected.

Appropriate correction is required.

### *Claim Objections*

2. Claim 3 is objected to because of the following informalities: It is unclear if claim 3 should read "The crimping device according to claim 4," "The crimping device according to claim 1" or "The crimping device according to claim 2" In general dependent claims are placed *after* the claims they depend on. For examination purposes, claim 3 is considered to be a dependent claim of claim 1. Appropriate correction is required.

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3. Claim 6 is objected to because of the following informalities: " first crimping blocks" should read –first crimping block–. Also, in a surface" should read –on a surface–, to be consistent with the language of claim 1. Appropriate correction is required.

4. Claim 8 is objected to because of the following informalities: "amount" on line 3 should read –number–. Also, in a surface" should read –on a surface–, to be consistent with the language of claim 1. Appropriate correction is required.

5. Claim 9 is objected to because of the following informalities: "retimed" should read –retained–. Appropriate correction is required.

6. Claim 11 is objected to because of the following informalities: "Claim 9" should read –Claim 10–. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 7-13 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Regarding claim 7, it is unclear whether all the crimping troughs on the second crimping block vary in size, or just the crimping troughs of claim 6 (those on a surface opposite a surface adapted to mate with a first crimping block).

b. Regarding claim 8, it is unclear what is meant by "doubles the amount of crimping troughs." As claimed, it is unclear what serves as a basis for comparison. It is unclear if:

- i. the number of crimping troughs on a surface that mates with the first crimping block is double the number of troughs present on the opposite side of the second crimping block, or
- ii. if the number of crimping troughs on a surface that mates with the first crimping block is equal to the number of troughs on the opposite side of the second crimping block, thereby doubling the total number of troughs on the second block as compared to the total number of crimping troughs on the second block of claim 1.

Furthermore, the phrase "whereby double the number of cables can be crimped" renders the claim indefinite, since, as claimed, it appears that the crimping device of the present application is capable of simultaneously crimping cables with both sides having crimping troughs, and wherein each trough engages a cable, thereby crimping a total of eight cables at the same time.

c. Regarding claim 10, the phrase "said crimping block" renders the claim indefinite since, as claimed, it is unclear whether the claim refers to the first crimping block or the second crimping block.

d. Regarding claim 15, the phrase "either end" renders the claim indefinite, since it can mean both "each end" and "one of the ends." It is unclear which meaning is intended by the applicant.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3, 5, 9, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Jaskolski (US4650379).

a. Regarding claim 1, Jaskolski discloses the same invention as the applicant, including

i. A first crimping block (top 18 in Fig. 1) having a plurality of crimping ribs (set screws 30 in Fig. 1) for engaging a connector fitted on the end of a cable.

ii. A second crimping block (base or bottom 17 in Fig. 1) having a plurality of crimping troughs (v-shaped troughs in Fig. 1) on a surface adapted to mate with said ribs on said first crimping block

iii. A bolt (screws 32 in Fig. 2) passing through a bore on each respective end of said second crimping block (17) into threaded bores in each respective end of said first crimping block (18). It is deemed inherent that bottom 17 is threaded, since screws 32 are inserted into the direction of face 12 of Figs. 1 and 6, and since in order for screw 32 to secure the top 18 it must be able to engage a threaded bore in bottom 17. Also, in Fig. 3, the bore of top 18 has the same diameter as the bore of bottom 17,

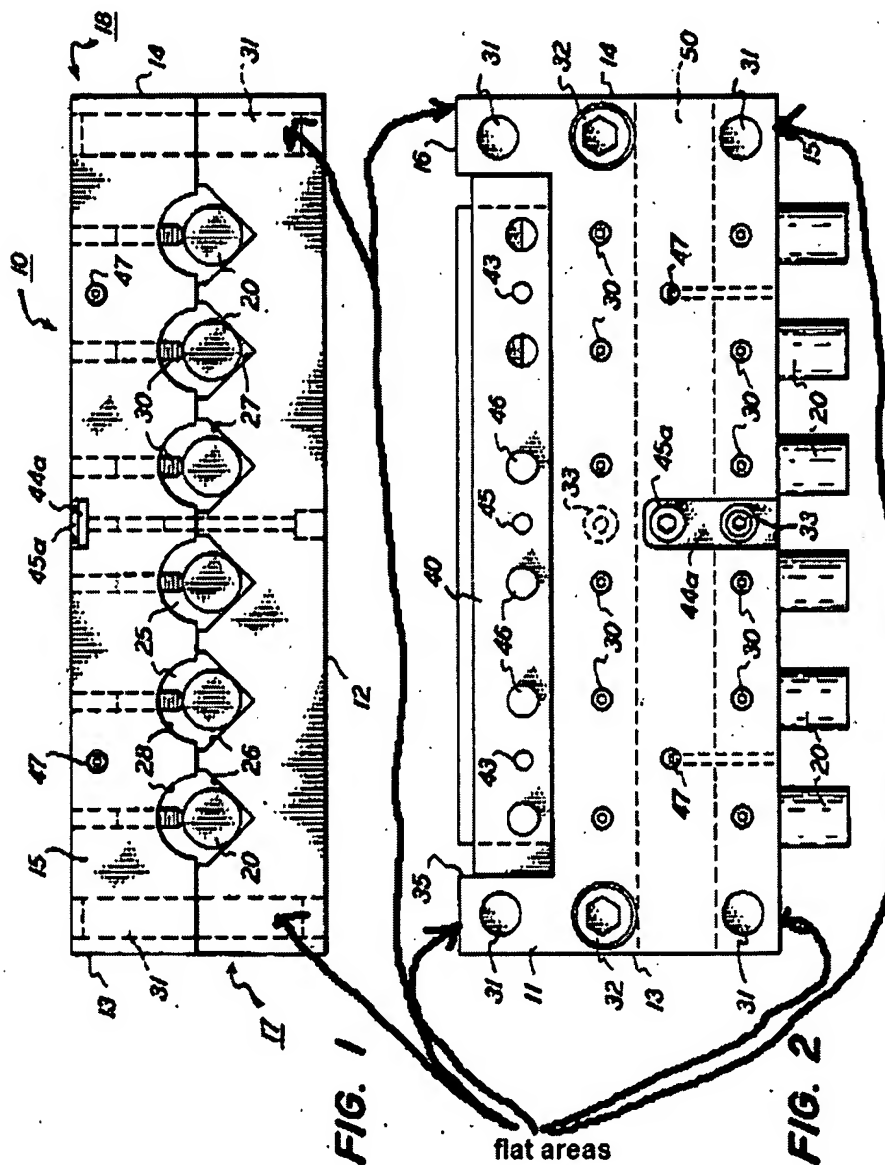
and therefore it is deemed inherent that the bore of top 18 is also threaded. Since both bores are threaded, Jaskolski discloses the limitations of claim 1, even though the screw 32 passes from the first block into the second block, instead of the reverse.

Whereby a connector may be attached to a cable by placing a cable and connector in a respective crimping trough and tightening down said bolts until a respective crimping rib engages a respective crimping trough crushing and securely crimping said connector on an end of said cable.

- b. Regarding claim 2, Jaskolski discloses the same invention as the applicant, including first and second crimping blocks being rectangular (See Figs. 1, 2, and 5).
- c. Regarding claim 3, Jaskolski discloses the same invention as the applicant, including the first and second crimping blocks being approximately equal in size (See Figs. 1, 2, and 5).
- d. Regarding claim 5, Jaskolski discloses the same invention as the applicant, including the height of each of said plurality of ribs being selected to nearly fully engage a respective trough in the second crimping block. Each set screw 30 can be adjusted so as to be closer or farther away from a corresponding trough.
- e. Regarding claim 9, Jaskolski discloses the same invention as the applicant. See the discussion in part a above regarding both bores being

threaded. Therefore the bolts (screws 32) would be retained when the second crimping block is separated from the first crimping block.

f. Regarding claim 14, Jaskolski discloses the same invention as the applicant, including a second crimping block having flat areas on at least one end for gripping the crimping device, (see image below).





***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newell (US4322123) in view of Harburg (US1451727).

Newell discloses the same invention as the applicant, including

- A first crimping block (48 in Fig. 2) having a crimping rib (46 in Fig. 2) for engaging a connector fitted on the end of a cable, the rib having a plateau (see Fig. 6), each rib being approximately equal in length to the width of the first rectangular block (see Fig. 5)
- A second crimping block, approximately equal in size to the first crimping block, having a crimping trough (50 in Fig. 2) on a surface adapted to mate with said ribs on said first crimping block

Newell also discloses the two crimping blocks, whereby the actuating mechanism used to urge the two blocks together comprises two arms (40, 42 in Fig. 2) joined at 44 in Fig. 2.

Newell does not disclose an actuating mechanism comprising a bolt passing through a bore on each respective end of one of the blocks into threaded bores of the other block.

Harburg teaches an actuating mechanism, whereby two blocks may be urged together by means of a bolt passing through a bore on each respective end of one of the blocks into threaded bores of the other block.

Both types of actuating mechanisms have the same purpose: urging the first and second block against each other, whereby a connector may be attached to a cable by placing a cable and connector in a respective crimping trough and pressing the two blocks together until a respective crimping rib engages a respective crimping trough crushing and securely crimping said connector on an end of said cable.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Newell, in view of the teachings of Harburg, by replacing the actuating mechanism of Newell with an actuating mechanism of the type disclosed by Harburg, in order to allow for greater clamping force.

Newell discloses the same invention as the applicant, as described above, except for a *plurality* of crimping ribs and a *plurality* of crimping troughs.

Harburg teaches providing multiple troughs on each block, so that the tool can operate on tubes of different sizes, as opposed to a single size.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the crimping blocks of Newell, in view of the teachings of Harburg, by providing a plurality of matching pairs of ribs and

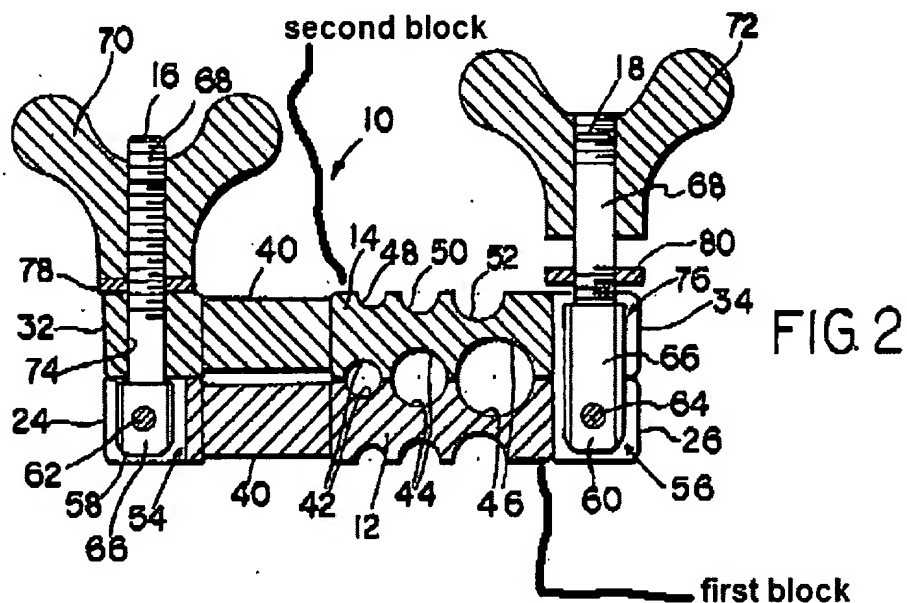
troughs, such that different size wire connectors can be crimped (see abstract of US4043174 for further supportive evidence).

13. Claims 6-8, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaskolski in view of Wilson (US3172454).

Jaskolski discloses the same invention as the applicant, except for a second crimping block having a plurality of crimping troughs on a surface opposite a surface adapted to mate with a first crimping block, whereby the crimping troughs vary in size to accommodate different size cables, and whereby a plurality of crimping troughs on a surface that mates with a first crimping block doubles the total number of crimping troughs on the second crimping block (relative to the number of crimping troughs present on a surface opposite a surface adapted to mate with a first crimping block), and whereby twice as many different sizes of cables can be crimped (relative to the number of types of cables that can be crimped by the troughs on a surface opposite a surface adapted to mate with a first crimping block).

Wilson teaches providing a second block (see figure below) of a device with troughs on two opposite faces of the block, the troughs being of varying sizes, so as to double the total number of troughs (relative to the number of troughs on only one of the faces, i.e. 8 instead of 4) and thereby allow the device to be capable of engaging twice as many different sizes of tubes (one face can engage a tube having one of four different sizes, the other face can engage a tube having one of four sizes different from the first four sizes, whereby the total number of different sizes is eight) (see figure below; also see col. 1, lns. 55-65 of Wilson)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the second crimping block of Jaskolski, in view of the teachings of Wilson, by providing the second crimping block with all the structural limitations of claims 6-8, for the same advantages described above.



14. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaskolski in view of Gooding (US4445358).

a. Regarding claim 10 (as best understood), Jaskolski discloses the same invention as the applicant, except for a handle extending from one end of the crimping device for holding the crimping device in position while a connector is being crimped on the end of a cable.

Gooding teaches a tool for affixing terminals onto cables, the tool comprising two blocks, whereby one of the blocks comprises a handle (10 in Fig. 2).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify one end of the crimping device of Jaskolski, in view of the teachings of Gooding, by providing a handle on said end, in order to allow the device to be easily held in position by a hand.

b. Regarding claim 15 (as best understood), Jaskolski discloses the same invention as the applicant, including flat areas on both sides of a second crimping block on either end (see image in part f above), whereby the crimping device can be gripped by a hand or a clamping tool.

Jaskolski does not disclose a second crimping block being longer than the first crimping block.

Gooding teaches a tool for affixing terminals onto cables, the tool comprising two blocks, whereby one of the two blocks is longer than the other (10 in Fig. 2) so as to act as a handle.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the second crimping block of Jaskolski, in view of the teachings of Gooding, by making the second crimping block longer than the first crimping block, for the same advantages discussed above.

15. Claims 11-13, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaskolski and Gooding and applied to claim 10 above and further in view of Hamilton (US4192171).

Jaskolski and Gooding together disclose the same invention as the applicant, except for a crimping device having a handle that is removable, whereby the handle has a threaded shaft on one end and a second crimping block has a threaded bore on an end, for removably receiving said threaded shaft of said handle.

Hamilton teaches a removable handle (22 in Fig. 1) having a threaded end (see Fig. 1) secured to a part of a crimping tool having a threaded bore for removably receiving the threaded end of the handle (see Fig. 1)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jaskolski and Gooding, in view of the teachings of Hamilton, by replacing the handle of Jaskolski and Goodwin with a handle having a threaded shaft at one end, and by providing a first threaded bore on an end of a second crimping block, said first bore being capable of removably receiving the threaded shaft of the handle, in order to allow the handle to be detached from the crimping device.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the opposite end of said second crimping block with a threaded bore identical to said first threaded bore, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art (*St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8) and since it has also been held

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that rearranging parts of an invention involves only routine skill in the art (*In re Japikse*, 86 USPQ 70)

**Conclusion**

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Livius R. Cazan whose telephone number is (571) 272-8032. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571)272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LRC 02/01/2006



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